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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-fifth session
Item 10 (a)

THE ADMINISTRATION OF JUSTICE AND THE HUMAN RIGHTS OF DETAINEES

QUESTION OF THE HUMAN RIGHTS OF PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT

Report of the Working Group on Detention

Corrigendum

Paragraph 30

The second sentence should read: He also thought that mental illness constituted a reason for non-applicability of the death penalty.

After paragraph 31 insert the following new paragraph:

It was suggested that the question of summary, arbitrary and extrajudicial executions should be included for consideration under that item. Mr. Sachar, however, expressed the opinion that that might not be very appropriate. The reason was that the imposition of a penalty, even the death penalty, presupposed a legal exercise of power, however much that might be deplored. But summary executions were lawless and illegal. If it were considered, it might be included as a separate item; also for the reason that the Commission on Human Rights had appointed a special rapporteur on the question. However, it was pointed out that the report

of the Special Rapporteur would not be submitted to the Sub-Commission. After further discussion it was decided to include the issue of summary execution under the item relating to deprivation of the right to life.

At the end of paragraph 41 insert the following sentence:

Mr. Alfonso Martínez recalled that he had suggested some time ago that a special study on that issue should be undertaken.

Paragraph 54, line 1. After adopted insert as revised.